

REMARKS

Double Patenting Rejection.

1-2. The Office Action stated that "Claim 38 is rejected on the ground of
5 nonstatutory obviousness-type double patenting as being unpatentable over
claim 30 of U.S. Patent No. 6,263,362 B1. Although the conflicting claims are
not identical, they are not patentably distinct from each other because the
inclusion of another limitation is within the breath of the previously patented
claim. The limitation in question is "said advise consumer maintains anonymity,
10 privacy, and security by not revealing to said advise provider either that said
advise consumer is interested in advice from said advice provider, that said
advise consumer has received any particular advice, or that said advice is
relevant to said advise consumer" in claim 38 of the present application."

15 Applicant respectfully submits that the limitation in question in regard to the
Amendment of 30 January 2006 appears to be Claim 37.

As well, Applicant submits that Terminal Disclaimer in compliance with 37 CFR
1.321(c) was filed on 04 February 2005 in regard to USPN 6,263,362, and was
20 acknowledged in Section 2 of the Office Action mailed 28 April 2005 for the
present Application. Applicant has included a copy of the filed terminal
disclaimer.

35 U.S.C. § 102. Claim Rejections.

25 3-14. The Office Action states that "Claims 1-45 are rejected under 35 U.S.C.
§102(e) as being anticipated by Hunt et al., USPN 5,893,091 (hereinafter
referred to [as] Hunt)."

Regarding Claim 1, the Office Action states that "Hunt taught a method for
30 inspecting any of the properties of a computer, said computer's configuration,
contents of said computer's storage devices, said computer's peripherals, and
said computer's environment (abstract), comprising the steps of:

providing at least one inspector library at said computer, said at least one inspector library [comprising] at least one inspector and associated methods (column 9, lines 11-21);

5 sending one or more advisories from an advice provider to said computer, wherein said advisories are sent regardless of relevance to said computer (column 7, lines 53-64);

10 performing an inspection with said inspector at said computer, the inspection comprising any of mat[h]ematico-logical calculations, executing computational algorithms, returning results of system calls, accessing contents of storage devices, and querying devices or remote computers to inspect any of said properties, said computer's configuration, contents of said computer's storage devices, said computer's peripherals and said computer's environment (column 9, lines 41-56); and

15 locally determining relevance at said computer of said received advisories, said relevance based on said results of said performed inspection (column 7, line 64-column 8, line 5)."

Hilton Davis / Festo Statement

20 Applicant has amended Claims 1, 10, 37, 40, 41 and 42, for convenience in prosecution, and reserves the right to present the same or similar claims in a related Application. The amendments herein were not made for any reason related to patentability.

25 Hunt describe multicasting with keywords, as seen at least in the Abstract, wherein:

30 "A method for distributing timely information over a computer network where a Timely Information Server collects and organizes information from Timely Information Providers and then broadcasts the organized information to endusers in the form of an alerts over a plurality of alert channels. The alert is comprised of keywords and arguments, wherein the keywords describe the subject matter of the alert and the arguments

provide content of the alert. The Timely Information Server maintains a dictionary of all possible keywords and the endusers copy a portion of the dictionary to their local computers to create individual keyword profiles which are comprised of keywords and Boolean operators. When an alert satisfies a Boolean equation in a users keyword profile the headline of the alert (stored as an argument) is displayed and the user is given the option to link his/her web browser to an associated URL (also stored as an argument)."

10 Hunt describes actions taken at a client machine, if notification criteria are satisfied in regard to a received alert, as seen at least in Col. 9, lines 11-21, wherein:

15 "In FIG. 4, the alert is received by the client 8d. The client 8d compares the keywords to the local keyword profile 10d using a predetermined logical (Boolean) expression. If the notification criteria is satisfied, the client machine either notifies the user that there is an alert that satisfies the notification criteria or responds automatically to the alert by executing a preprogrammed set of instructions. After determining that the alert
20 meets the notification criteria, any necessary user input is retrieved or any decisions which require further computation are made 22 and a response program 24a, 24b, 24c, 24d, 24e, and 24f is executed."

Hunt describes further details of a "Timely Information Server 4", as seen at least
25 in Col. 7, lines 53-64, wherein:

30 "FIG. 1 illustrates the preferred embodiment of the present invention and shows the Timely Information Providers 2a, 2b, and 2c sending information to the Timely Information Server 4. The Timely Information Server analyzes the incoming information and compares it with its Keyword Dictionary 6 to create an alert composed one or more keywords and one or more arguments. Typically there will be multiple keywords that

describe the subject of the alert and multiple arguments including information source identification, a headline, a unique alert identification, and a URL. The Timely Information Server sends the alert over a computer network using IP Multicast."

5

Hunt describes various actions executed at a client machine, as seen at least in Col. 9, lines 41-56, wherein:

10 "Numerous other programs could also be executed. The user can choose to, or the client can automatically, conduct a transaction such as place a trade, place a bet, or purchase merchandise in response to an alert by executing a conduct transaction program 24c. The user can choose to, or the client can automatically, communicate via email, phone call, or pager, in response to an alert by executing a communication program 24d. The
15 user can choose to, or the client can automatically, change the channel on a television, multicast receiver, or radio by having a change channel program 24e execute in response to an alert. A data gathering and response program 24f could be executed in response to an alert. An example of this might be a program that checks for traffic on the user's
20 route home in response to a weather report and then notifies the user that he/she will have to leave work before a certain time to arrive home by a certain time."

Hunt also describes a display to the user received alerts that satisfy notification
25 criteria, and subsequent connection of a browser to an associated URL if selected by the user, as seen at least in Col. 7, line 64 to col. 8, line 5, wherein:

30 "The alert is received by the subscriber clients 8a, 8b, and 8c. The clients 8a, 8b, and 8c compare the keywords in the alert to their local keyword profiles 10a, 10b, and 10c using a predetermined logical (Boolean) expression also referred to as the notification criteria. The client computers then display the alerts that satisfy the notification criteria. If the

user selects the displayed alert, then a linked browser will connect to an associated URL (contained in an argument in the alert)."

Applicant has amended independent Claim 1, to claim a method for inspecting
5 any of the properties of a computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals, and said computer's environment, comprising the steps of:

providing at least one inspector library at said computer, said at least one inspector library comprising at least one inspector and associated methods;

10 sending one or more advisories from an advice provider to said computer, wherein said advisories are sent regardless of relevance to said computer;

performing an inspection with said inspector at said computer, the inspection comprising any of mathematico-logical calculations, executing computational algorithms, returning results of system calls, accessing contents of
15 storage devices, and querying devices or remote computers to inspect any of said properties of said computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals, and said computer's environment; and

locally determining relevance at said computer of said received advisories,
20 said relevance based on said results of said performed inspection;

wherein said computer maintains anonymity, privacy, and security by not revealing to said advice provider any of

interest in any of said received advisories from said advice provider by any of said computer and a user of said computer,

25 information regarding a reception of any particular advisory by any of said computer and said user, and

relevance of any of said received advisories to any of said computer and said user.

30 Applicant has amended independent Claim 10, to claim an apparatus, comprising:

means for receiving advisories at a computer from an advice provider, wherein the advisories are sent regardless of relevance to said computer; and

an inspector library for performing an inspection any of the properties of said computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals, and said computer's environment,
5 said inspector library comprising

at least one inspector at said computer which is invoked as part of a continual relevance evaluation process; and

one or more inspector methods for performing at said computer
10 any of mathematico-logical calculations, executing computational algorithms, returning the results of system calls, accessing the contents of storage devices, and querying devices or remote computers to inspect any of the properties of said computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals,
15 and said computer's environment;

wherein said continual relevance evaluation process locally determines relevance at said computer of said received advisories in regard to the results of said performed inspection; and

wherein said computer maintains anonymity, privacy, and security by not
20 revealing to said advice provider any of

interest in any of said received advisories from said advice provider by any of said computer and a user of said computer,

information regarding a reception of any particular advisory by any of said computer and said user, and

25 relevance of any of said received advisories to any of said computer and said user.

Support for Claim 1 and Claim 10 as amended is seen in the Application as filed, at least on page 5, line 13 to page 6, line 26; on page 7, line 21 to page 8, line 7;
30 on page 8, line 13 to page 9, line 2; on page 14, line 1 to page 16, line 17; on page 19, line 6 to page 21, line 11; on page 22, lines 5 to page 23, line 7; on page 24, line 16 to page 28, line 25; on page 29, line 1 to page 30, line 14; on

page 31, lines 14-21; on page 32, line 20 to page 33, line 23; on page 35, line 1 to page 36, line 3; on page 37, lines 14-19; on page 38, line 10 to page 40, line 5; on page 41, line 22 to page 42, line 2; on page 43, line 6 to page 44, line 10; on page 44, line 23 to page 46, line 5; on page 73, lines 10-26; on page 79, line 20 to page 81, line 19; on page 82, line 12 to page 83, line 4; on page 84, line 8 to page 106, line 18; on page 137, lines 11-16; on page 137, lines 11-16; on page 168, line 28 to page 174, line 18; in Claims 1, 10, 37, 40 and 41; and in Figures 2, 3, 6-17 and 21-24.

- 10 Hunt describes details regarding information sent back to a timely information server 15, as seen at least in col. 8, lines 28-42, wherein:

15 "At the same time the client 8d retrieves information from the Timely Information Providers 2d, a tracking information packet is sent 15 to the Timely Information Server 4 specifying that the user/client has acted upon the received alert. The client machine 8d may just indicate that an alert was acted upon or it may specify which alert was acted upon by transmitting the unique alert ID. The Server 4 also maintains a current copy of the user's notification criteria, and the client 8d transmits a start
20 time and a stop time that identifies when the client 8d was receiving alerts. By specifying the start and stop times and knowing the notification criteria, the Timely Information Server 4 can identify which alerts have been viewed by the client 8d. Tracking information packets are stored by the Timely Information Server 4 in the tracking information database 18."

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Further details of tracking information are described by Hunt, as seen at least in col. 5, line 62 to col. 6, line 2, wherein:

30 "Another feature of the present invention is that it relays tracking information to the Timely Information Server or a separate Tracking Server. This tracking information may include which alerts the user has viewed as well as which alerts he/she has responded to. This tracking

information is used to develop and refine personal profiles of the users. It may also be used by the system to suggest other keywords or multicast channels that might be of interest to the user."

5 Applicant submits that there is no disclosure or suggestion in Hunt, express or implied that the "computer maintains anonymity, privacy, and security by not revealing to said advice provider any of

interest in any of said received advisories from said advice provider by any of said computer and a user of said computer,

10 information regarding a reception of any particular advisory by any of said computer and said user, and

relevance of any of said received advisories to any of said computer and said user."

15 In regard to Claim 1, as amended, Applicant therefore submits that Hunt fail to disclosure or suggest "a method for inspecting any of the properties of a computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals, and said computer's environment, comprising the steps of:

20 providing at least one inspector library at said computer, said at least one inspector library comprising at least one inspector and associated methods;

sending one or more advisories from an advice provider to said computer, wherein said advisories are sent regardless of relevance to said computer;

performing an inspection with said inspector at said computer, the

25 inspection comprising any of mathematico-logical calculations, executing computational algorithms, returning results of system calls, accessing contents of storage devices, and querying devices or remote computers to inspect any of said properties of said computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals, and said computer's

30 environment; and

locally determining relevance at said computer of said received advisories, said relevance based on said results of said performed inspection;

wherein said computer maintains anonymity, privacy, and security by not revealing to said advice provider any of

interest in any of said received advisories from said advice provider by any of said computer and a user of said computer,

5 information regarding a reception of any particular advisory by any of said computer and said user, and

relevance of any of said received advisories to any of said computer and said user.”

10 In regard to Claim 10, as amended, Applicant therefore submits that Hunt fail to disclosure or suggest “an apparatus, comprising:

means for receiving advisories at a computer from an advice provider, wherein the advisories are sent regardless of relevance to said computer; and

15 an inspector library for performing an inspection any of the properties of said computer, said computer’s configuration, contents of said computer’s storage devices, said computer’s peripherals, and said computer’s environment, said inspector library comprising

at least one inspector at said computer which is invoked as part of a continual relevance evaluation process; and

20 one or more inspector methods for performing at said computer any of mathematico-logical calculations, executing computational algorithms, returning the results of system calls, accessing the contents of storage devices, and querying devices or remote computers to inspect any of the properties of said computer, said computer’s configuration, contents of said computer’s storage devices, said computer’s peripherals, and said computer’s environment;

25 wherein said continual relevance evaluation process locally determines relevance at said computer of said received advisories in regard to the results of said performed inspection; and

30 wherein said computer maintains anonymity, privacy, and security by not revealing to said advice provider any of

interest in any of said received advisories from said advice provider
by any of said computer and a user of said computer,
information regarding a reception of any particular advisory by any
of said computer and said user, and
5 relevance of any of said received advisories to any of said
computer and said user."

Therefore, Hunt fails to meet Claim 1 and Claim 10, as amended. It would take
significant modification and undue experimentation to meet Claim 1 and Claim
10 10, as amended.

Applicant therefore submits that Claims 1 and 10, as amended, overcome the
rejections under 35 U.S.C. §102(e) as being anticipated by Hunt (US Pat. No.
5,893,091).

15 The Examiner bears the burden of establishing a *prima facie* case of anticipation
(In re King, 801 F.2d 1324, 1327, 231 USPQ 136, 138-139 (Fed. Cir. 1986)).
The prior art reference must disclose each element of the claimed invention, as
correctly interpreted, and as arranged in the claim (Lindermann Maschinefabrik
20 Gmbh v. American Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481, 485
(Fed. Cir. 1984)). A claim is anticipated only if each and every element as set
forth in the claim is found, either expressly or inherently described, in a single
prior art reference. The identical invention must be shown in as complete detail
as is contained in the claim (MPEP 2131).

25 As Claims 2-9 and 43 depend from Claim 1, and as Claims 11-36 and 44 depend
from Claim 10, and inherently include all the limitations of the Claims from which
they depend, Claims 2-9, 11-36, 43 and 44 are seen to be patentable as well.

30 Applicant has amended independent Claim 37, to claim, in a system including
computational devices connected by a communications network, said system
comprising a communications apparatus for linking an advice provider to an

advice consumer, said communications apparatus comprising specific units of advice to be shared, digital documents conveying said advice, said advice provider for broadcasting said advice in the form of advisories, said advice consumer for receiving said advisories, wherein advisories are broadcast over
5 said communications network from said advice provider to said advice consumer, a communications protocol for narrowly-focused targeting of said advisories to said advice consumer by automatically matching advisories with an advice consumer for whom said advisories are relevant, and an inspector dispatcher associated with an advice client computer for any of continuously and
10 at scheduled intervals performing relevance determination, wherein said relevance determination is driven by a database of relevance clauses which can be continually evaluated, at least one inspector library, comprising:

at least one inspector located at said advice client computer; and

associated methods for evaluating subexpressions with said at least one
15 inspector at said advice client computer;

wherein said inspector library is invoked by said inspector dispatcher as part of said relevance determination process;

wherein said inspector performs at said advice client computer any of mathematico-logical calculations, executes computational algorithms, returns the
20 results of system calls, accesses the contents of storage devices, and queries devices or remote computers; and

wherein said advice consumer comprises means for maintaining anonymity, privacy, and security by not revealing to said advice provider any of

interest in any of said received advisories from said advice provider
25 by any of said advice consumer and a user thereof,

information regarding a reception of any particular advisory by any of said advice consumer and said user, and

relevance of any of said received advisories to any of said advice consumer and said user.

30 Support is seen in the Application as filed, at least on Page 5, lines 13-18; on page 6, line 4 to page 9, line 2; on page 17, line 12 to page 20, line 5; on page

22, lines 5-11; on page 24, line 16 to page 28, line 25; on page 31, lines 14-21; on page 32, line 20 to page 33, line 14; on page 35, line 1 to page 36, line 3; on page 37, lines 14-19; on page 38, line 10 to page 39, line 1; on page 41, line 22 to page 42, line 2; on page 43, line 6 to page 44, line 10; on page 44, line 23 to
5 page 46, line 5; on page 73, lines 10-26; on page 79, line 20 to page 81, line 19; on page 82, line 12 to page 83, line 4; on page 84, line 8 to page 106, line 18; on page 111, line 18 to page 113, line 9; on page 137, lines 11-16; on page 168, line 28 to page 174, line 18; and in Figures 1-3, 6-17 and 21-24.

- 10 As discussed above, Hunt describes details regarding information sent back to a timely information server 15, as seen at least in col. 8, lines 28-42, wherein:

15 "At the same time the client 8d retrieves information from the Timely Information Providers 2d, a tracking information packet is sent 15 to the Timely Information Server 4 specifying that the user/client has acted upon the received alert. The client machine 8d may just indicate that an alert was acted upon or it may specify which alert was acted upon by transmitting the unique alert ID. The Server 4 also maintains a current
20 copy of the user's notification criteria, and the client 8d transmits a start time and a stop time that identifies when the client 8d was receiving alerts. By specifying the start and stop times and knowing the notification criteria, the Timely Information Server 4 can identify which alerts have been viewed by the client 8d. Tracking information packets are stored by the Timely Information Server 4 in the tracking information database 18."

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Applicant submits that there is no disclosure or suggestion in Hunt, express or implied, that the advice consumer comprises "means for maintaining anonymity, privacy, and security by not revealing to said advice provider any of

30 interest in any of said received advisories from said advice provider by any of said advice consumer and a user thereof,

information regarding a reception of any particular advisory by any of said advice consumer and said user, and

relevance of any of said received advisories to any of said advice consumer and said user."

In regard to Claim 37, as amended, Applicant therefore submits that Hunt fail to disclosure or suggest "in a system including computational devices connected by a communications network, said system comprising a communications apparatus for linking an advice provider to an advice consumer, said communications apparatus comprising specific units of advice to be shared, digital documents conveying said advice, said advice provider for broadcasting said advice in the form of advisories, said advice consumer for receiving said advisories, wherein advisories are broadcast over said communications network from said advice provider to said advice consumer, a communications protocol for narrowly-focused targeting of said advisories to said advice consumer by automatically matching advisories with an advice consumer for whom said advisories are relevant, and an inspector dispatcher associated with an advice client computer for any of continuously and at scheduled intervals performing relevance determination, wherein said relevance determination is driven by a database of relevance clauses which can be continually evaluated, at least one inspector library, comprising:

at least one inspector located at said advice client computer; and associated methods for evaluating subexpressions with said at least one inspector at said advice client computer;

wherein said inspector library is invoked by said inspector dispatcher as part of said relevance determination process;

wherein said inspector performs at said advice client computer any of mathematico-logical calculations, executes computational algorithms, returns the results of system calls, accesses the contents of storage devices, and queries devices or remote computers; and

wherein said advice consumer comprises means for maintaining anonymity, privacy, and security by not revealing to said advice provider any of interest in any of said received advisories from said advice provider by any of said advice consumer and a user thereof,

information regarding a reception of any particular advisory by any of said advice consumer and said user, and relevance of any of said received advisories to any of said advice consumer and said user.”

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Therefore, Hunt fails to meet Claim 37, as amended. It would take significant modification and undue experimentation to meet Claim 37, as amended.

Applicant therefore submits that Claims 37, as amended, overcomes the rejections under 35 U.S.C. §102(e) as being anticipated by Hunt (US Pat. No. 5,893,091).

The Examiner bears the burden of establishing a *prima facie* case of anticipation (In re King, 801 F.2d 1324, 1327, 231 USPQ 136, 138-139 (Fed. Cir. 1986)).

15 The prior art reference must disclose each element of the claimed invention, as correctly interpreted, and as arranged in the claim (Lindermann Maschinefabrik GmbH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984)). A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single

20 prior art reference. The identical invention must be shown in as complete detail as is contained in the claim (MPEP 2131).

As Claims 38 and 39 depend from Claim 37, and inherently include all the limitations of the Claims from which they depend, Claims 38 and 39 are seen to

25 be patentable as well.

Applicant has amended independent Claim 40, to claim a method for inspecting a computer at a remote location any of the properties of said computer, said computer's configuration, contents of said computer's storage devices, said

30 computer's peripherals, and said computer's environment, comprising the steps of:

mandatorily receiving from a provider at said computer at said remote location one or more relevance clauses regardless of relevance of said relevance clauses to said computer;

5 providing at least one inspector library at said computer at said remote location, said at least one inspector library comprising at least one inspector and associated methods;

locally evaluating relevance of said one or more relevance clauses with said at least one inspector at said computer at said remote location;

displaying relevance evaluation results to a user of said computer;

10 allowing approval or denial by said user of an action related to said relevance evaluation results; and

returning any of relevance evaluation results and user actions from said computer at said remote location to said provider only if a user of said computer is made aware of what is being transferred.

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Support is seen in the Application as filed, at least on page 7, line 21 to page 9, line 2; on page 29, lines 12-16; on page 41, line 22 to page 42, line 2; on page 44, line 23 to page 47, line 21; on page 62, line 19 to page 64, line 18; on page 73, lines 10-26; on page 79, line 20 to page 81, line 19; on page 82, line 12 to
20 page 83, line 4; on page 84, line 8 to page 106, line 18; on page 242, line 1 to page 251, line 13; and in Figures 2, 3, 6, 7-10, 11-17 and 21-24.

In regard to Claim 40, as amended, Applicant submits that Hunt fail to disclosure or suggest "a method for inspecting a computer at a remote location any of the
25 properties of said computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals, and said computer's environment, comprising the steps of:

mandatorily receiving from a provider at said computer at said remote location one or more relevance clauses regardless of relevance of said
30 relevance clauses to said computer;

providing at least one inspector library at said computer at said remote location, said at least one inspector library comprising at least one inspector and associated methods;

locally evaluating relevance of said one or more relevance clauses with said at least one inspector at said computer at said remote location;

displaying relevance evaluation results to a user of said computer;

allowing approval or denial by said user of an action related to said relevance evaluation results; and

returning any of relevance evaluation results and user actions from said computer at said remote location to said provider only if a user of said computer is made aware of what is being transferred."

Hunt describe details of subscriber clients 18, as seen at least in Figures 1-3 and in col. 7, lines 63-65, wherein:

"The Timely Information Server sends the alert over a computer network using IP Multicast. The alert is received by the subscriber clients 8a, 8b, and 8c."

Further details of clients 18 are seen at least in col. 8, lines 52 to 55, wherein:

"The Branded Information Server 20 sends the alert over the network via IP Multicast to client 8a who has subscribed (registered) to receive alerts from the Branded Information Server 18."

While Hunt describe a client "who has subscribed (registered) to receive alerts", there is no disclosure or suggestion, express or implied, of "mandatorily receiving from a provider at said computer at said remote location one or more relevance clauses regardless of relevance of said relevance clauses to said computer".

Therefore, Hunt fails to meet Claim 40, as amended. It would take significant modification and undue experimentation to meet Claim 37, as amended.

Applicant therefore submits that Claims 40, as amended, overcomes the rejections under 35 U.S.C. §102(e) as being anticipated by Hunt (US Pat. No. 5,893,091).

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The Examiner bears the burden of establishing a *prima facie* case of anticipation (In re King, 801 F.2d 1324, 1327, 231 USPQ 136, 138-139 (Fed. Cir. 1986)). The prior art reference must disclose each element of the claimed invention, as correctly interpreted, and as arranged in the claim (Lindermann Maschinefabrik Gmbh v. American Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984)). A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. The identical invention must be shown in as complete detail as is contained in the claim (MPEP 2131).

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As Claim 45 depends from Claim 40, and inherently includes all the limitations of the Claim from which it depend, Claim 45 is seen to be patentable as well.

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Applicant has amended independent Claim 41, to claim, in a system comprising a master computer, an administrative user associated with said master computer, a slave computer, and a plurality of advisories comprising relevance clauses, a method comprising the steps of:

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providing a slave relevance evaluator and at least one inspector library at said slave computer, said at least one inspector library comprising at least one inspector and associated methods;

sending one or more of said relevance clauses from said master computer to said slave computer regardless of relevance of said relevance clauses to said slave computer;

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locally evaluating relevance of said relevance clauses at said slave computer with said at least one inspector without interaction with a user of said slave computer, said local evaluation of relevance in regard to any of the properties of said slave computer, said slave computer's configuration, contents

of said slave computer's storage devices, said slave computer's peripherals, and said slave computer's environment; and

transmitting said evaluated relevances of said relevance clauses from the slave computer to said master computer as remotely managed by said administrative user through said master computer, and without interaction with said user of said slave computer.

Applicant has also amended Claim 42, to provide proper terminology to Claim 41, as amended.

Support for Claim 41 and Claim 42 is seen in the Application as filed, at least on page 7, line 21 to page 9, line 2; on page 29, lines 12-16; on page 41, line 22 to page 42, line 2; on page 44, line 23 to page 46, line 5; on page 62, line 19 to page 64, line 18; on page 73, lines 10-26; on page 79, line 20 to page 81, line 19; on page 82, line 12 to page 83, line 4; on page 84, line 8 to page 106, line 18; on page 254, line 10 to page 258, line 17; and in Figures 2, 3, 6, 7-10, 11-17 and 25.

In regard to Claim 41, as amended, Applicant submits that Hunt fail to disclosure or suggest "in a system comprising a master computer, an administrative user associated with said master computer, a slave computer, and a plurality of advisories comprising relevance clauses, a method comprising the steps of:

providing a slave relevance evaluator and at least one inspector library at said slave computer, said at least one inspector library comprising at least one inspector and associated methods;

sending one or more of said relevance clauses from said master computer to said slave computer regardless of relevance of said relevance clauses to said slave computer;

locally evaluating relevance of said relevance clauses at said slave computer with said at least one inspector without interaction with a user of said slave computer, said local evaluation of relevance in regard to any of the properties of said slave computer, said slave computer's configuration, contents

of said slave computer's storage devices, said slave computer's peripherals, and said slave computer's environment; and

transmitting said evaluated relevances of said relevance clauses from the slave computer to said master computer as remotely managed by said administrative user through said master computer, and without interaction with
5 said user of said slave computer."

While Hunt disclose the multicasting of alerts to endusers, *i.e.* clients 18, there is no disclosure or suggestion, express or implied, of a transmission of evaluated
10 relevances of relevance clauses from a client 18 to a master computer as remotely managed by an administrative user through the master computer, and without interaction with the user of the client computer 18.

Therefore, Hunt fails to meet Claim 41, as amended. It would take significant
15 modification and undue experimentation to meet Claim 41, as amended.

Applicant therefore submits that Claims 41, as amended, overcomes the rejections under 35 U.S.C. §102(e) as being anticipated by Hunt (US Pat. No. 5,893,091).

20

The Examiner bears the burden of establishing a *prima facie* case of anticipation (In re King, 801 F.2d 1324, 1327, 231 USPQ 136, 138-139 (Fed. Cir. 1986)). The prior art reference must disclose each element of the claimed invention, as correctly interpreted, and as arranged in the claim (Lindermann Maschinefabrik
25 Gmbh v. American Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984)). A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. The identical invention must be shown in as complete detail as is contained in the claim (MPEP 2131).

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As Claim 42 depends from Claim 41, and inherently includes all the limitations of the Claim from which it depend, Claim 42 is seen to be patentable as well.

Other Amendments. Applicant has amended the Specification to correct a minor error. Applicant has also amended Claims 2, 4, 6, 11-13, 17, 20-22, 30-31 and 35 to provide proper antecedent terminology. Applicant also submits that the
5 amendments do not introduce new matter into the Application.

CONCLUSION

Applicant respectfully submits that Claim 1-45, as amended, overcome the rejections set forth in the Office Action. Applicant also submits that the amendments do not introduce new matter into the Application. Based on the foregoing, Applicant considers the invention to be in condition for allowance. Applicant earnestly solicits the Examiner's withdrawal of the rejections set forth in the referenced Office Action, such that a Notice of Allowance is forwarded to Applicant, and the present application is therefore allowed to issue as a United States Patent.

Respectfully Submitted,



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